EXHIBIT A

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	MDL No. 1456
	CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO ALL CLASS ACTIONS	Judge Patti B. Saris

PLAINTIFFS' AND DEFENDANT BAXTER'S JOINT AGREED MOTION FOR EXTENSION TO TRACK II DISCOVERY SCHEDULE WITH RESPECT TO BAXTER

Plaintiffs and Defendant Baxter jointly move this Court for an extension to the Track II Discovery Schedule with respect to Baxter. In support thereof, Plaintiffs and Baxter state as follows:

I. THE PARTIES REQUEST AN EXTENSION OF THE DEADLINE FOR TRACK II DISCOVERY WITH RESPECT TO BAXTER TO SEPTEMBER 30, 2006.

Currently pending before this Court is Plaintiffs' Motion To Compel The Production Of Documents From Baxter. The parties have conferred regarding the document production made to date by Baxter, Baxter's proposed rolling production of additional documents, and the depositions that will likely arise as Baxter undertakes the production of its documents.

Based on those discussions, Plaintiffs have agreed to withdraw their Motion To Compel Baxter's documents without prejudice contemporaneously with this Motion, based on the parties' joint request to this Court to modify the Track II Discovery Schedule with respect to Baxter as follows:[1]

- final date for production of documents: June 1, 2006,
- final date for depositions of fact witnesses: September 30, 2006;
- Plaintiffs to file their expert reports on liability: November 15, 2006;
- Baxter to file its expert reports on liability: December 1, 2006;
- completion of expert depositions: December 30, 2006.

Baxter and Plaintiffs agree that this schedule provides sufficient time to conduct discovery given the number of documents which Baxter believes it has to produce with respect to the drugs at issue and given the breadth of discovery required by both parties to prepare the case for trial.

II. CONCLUSION

For all of the foregoing reasons, Plaintiffs and Defendant Baxter respectfully request that this Court enter an order: a) granting the parties' Joint Agreed Motion For Extension To Track II Discovery Schedule With Respect To Baxter; and b) setting the discovery schedule with respect to Baxter as follows: (i) final date for production of documents: June 1, 2006, (ii) final date for depositions of fact witnesses: September 30, 2006; (iii) Plaintiffs to file their expert reports on liability: November 15, 2006; (iv) Baxter to file its expert reports on liability: December 1, 2006; (v) completion of expert depositions: December 30, 2006.

DATED: November 22, 2005

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[1] Case Management Order ("CMO") No. 14 sets forth the following deadlines associated with discovery related to the Track Two Defendants:

December 3, 2005: Close of Fact Discovery.
January 15, 2006: Plaintiffs file their expert reports on liability.
January 30, 2006: Defendants file expert reports on liability.
March 15, 2006: Completion of expert depositions.

On Behalf of Baxter

By:___/s/ original signed_____________

On Behalf of Plaintiffs

By **/s/ Steve W. Berman**

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CERTIFICATE OF SERVICE

I, hereby certify that I, Merle M. DeLancey, counsel to Baxter Healthcare Corporation and Baxter International Inc., caused a true and correct copy of the foregoing PLAINTIFFS' AND DEFENDANT BAXTER'S JOINT AGREED MOTION FOR EXTENSION TO TRACK II DISCOVERY SCHEDULE WITH RESPECT TO BAXTER and [Proposed] ORDER to be served electronically on counsel of record pursuant to Paragraph 11 of the Case Management Order No. 2, by sending a copy to LexisNexis File and Service for posting and notification to all parties on November 22, 2005.

_______/s/ original signed_________

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